

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 25, 2004

Signature:

(Ronald E. Cahill)

Docket No.: 101896-175

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Moumene et al.

Application No.: 10/606,200

Filed: June 25, 2003

Art Unit: 3732

For: LOCKING CAP ANCHOR ASSEMBLY FOR
SPINAL FIXATION INSTRUMENTATION

Examiner: E.C. Robert

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement;
2. PTO/SB/08 Form cited (1) reference thereon;
3. A copy of reference cited; and
4. Return receipt postcard.

The Commissioner is hereby authorized to charge any underpayments or overpayments in connection with this filing to our Deposit Account No. 141449, Reference No. 101896-175, Customer No. 021125. A duplicate copy of this sheet is enclosed.

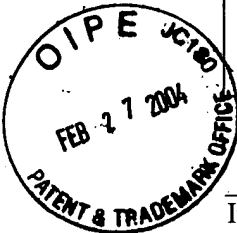
Respectfully submitted,

NUTTER, MCCLENNEN & FISH, LLP

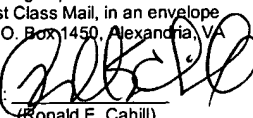
 2/25/04

Ronald E. Cahill, Reg. No. 38,403

Attorney for Applicant
World Trade Center West
155 Seaport Blvd.
Boston, MA 02210-2604
Tel: (617) 439-2782
Fax (617) 310-9782



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 25, 2004 Signature: 
(Ronald E. Cahill)

Docket No.: 101896-0175

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Moumene et al.

Application No.: 10/606,200

Filed: June 25, 2003

Art Unit: 3732

For: LOCKING CAP ANCHOR ASSEMBLY FOR
SPINAL FIXATION INSTRUMENTATION

Examiner: E. C. Robert

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

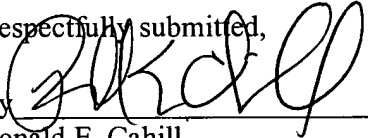
Application No.: 10/606,200

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-175. A duplicate copy of this paper is enclosed.

Dated: February 25, 2004

Respectfully submitted,



By
Ronald E. Cahill

Registration No.: 38,403

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2000

(617) 310-9000 (Fax)

Attorney for Applicants

1302903.1



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/606,200
				Filing Date	June 25, 2003
				First Named Inventor	M. Moumene
				Art Unit	3732
				Examiner Name	E. C. Robert
Sheet	1	of	1	Attorney Docket Number	101896-0175

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	BD	US-2004/0030337	02-12-2004	Alleyne et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

1302906.1

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--